

It was so considered by us when the case was
brought before - J Phillips & H -

4th "The question put to the witness Eliza Anderson
ought not to have been ruled out". There is not
enough set out in the ~~examination~~ statement of the
case, to show the relevancy of this question; and
we are confined to what appears in the statement
of the case, treating it as a bill of exceptions on
the part of the prisoner.

Neither of the two grounds taken in support
of the motion to arrest the judgment, are tenable.
State vs. Lane - 4 Fed. 113, is a conclusive answer
to one - the other, is only objectionable as violating
a rule of grammar; - This does not vitiate a legal
proceeding when the sense & meaning is clear. Indeed,
as the plea of "Not guilty" is several & not a joint one -
it would seem to be most proper to use the ~~is~~ in
the singular number, & to set out in the records that
each prisoner upon the arraignment, said "he is
not guilty" or "she is not guilty" - instead of putting
it in the form of a joint plea. But the authorities
support the entry in either way.

There is no error. This opinion will be certified,
to the end &c -

This cause came on to be argued upon
the transcript of the record from the
Superior Court of Law of Frederick County
Upon consideration whereof this Court
is of opinion that there is no error in
the record & proceedings of the said
Superior Court. Whereupon, It is ordered
that the opinion of this Court as deliv-
ered by the Honorable the Chief Justice
be certified to the said Superior Court